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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/704,810	11/02/2000	Paul J. Russell	CIS00-3333	4316

7590 04/27/2004

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Westborough Office Park
1700 West Park Drive
Westborough, MA 01581

EXAMINER

KHOSRAVAN, JIMAN

ART UNIT	PAPER NUMBER
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2141

DATE MAILED: 04/27/2004

2

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/704,810

Applicant(s)

RUSSELL, PAUL J.

Examiner

Jiman Khosravan

Art Unit

2141

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-32 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-32 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 02 November 2000 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

Drawing Objections

1. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4).

a. On page 14 of the disclosure, reference characters 112-124 have been used to designate items in both Sending Computer System and Receiving Computer System, whereas in Figure 1, reference characters 112-124 each have a post-fix, for example: 114-1 Display for Sending Computer System and 114-2 Display for Receiving Computer System.

All references to reference characters 112-124 are required to specifically point out which Computer System they belong to in the **entirety** of the Disclosure.

b. On page 22-23 of the disclosure, reference characters 248-250 have been used to designate items in both Batch 150 and Batch 151, whereas in Figures 3 & 4, reference characters 248-250 each have a post-fix.

All references to reference characters 248-250 are required to specifically point out which Batch they are referring to in the **entirety** of the Disclosure.

c. Figure 1, items 150 & 151 are used multiple times to reference different areas of the drawing.

d. Figure 2A, item 203 is used twice. It is noted that the fourth step should be step number 203 and that the fifth step should be labeled step number 204.

e. Figure 2B, the numbering of the steps are not in order. Currently, they are labeled in the following order: 213, 210, 211, 212. Whereas the disclosure references the figure in the following order: 210, 211, 212, 213. It is suggested to change the drawing and not the disclosure.

A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

2. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description:

a. Reference character 204 on page 17, lines 24-25, page 18, lines 6, 16, 22-23.

b. Reference character 144-1 on page 22, line 19. It should read 124-1.

A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Disclosure Objections

3. The abstract of the disclosure is objected to because “computer” on line 15 should have read, “compute.” Correction is required. See MPEP § 608.01(b).

4. The disclosure is objected to because of the following informalities:

a. Page 19, lines 16-28 reference Figure 2B wherein the numbering of the steps do not match.

b. On page 24, line 14, “the processor 1 16-1” should read “the processor 116-1.”

Appropriate correction is required.

Claim Rejections ~ 35 U.S.C. § 112

5. The numbering of claims is not in accordance with 37 CFR 1.126 which requires the original numbering of the claims to be preserved throughout the prosecution. When claims are canceled, the remaining claims must not be renumbered. When new claims are presented, they must be numbered consecutively beginning with the number next following the highest numbered claims previously presented (whether entered or not).

Misnumbered claims 26-31 have been renumbered 27-32. Further more, any dependencies within the misnumbered claims have been kept as the original dependencies and have not been renumbered.

Claim Rejections ~ 35 U.S.C. § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

7. Claims 1-14 and 30 are rejected under 35 U.S.C. 102(e) as being anticipated by Simonoff (US 6,463,460).

a. As per claims 1, 8, and 30, Simonoff discloses a method for processing event information for use by a receiver of the event information (Col. 6, lines 38-56: A whiteboard system in which users can add objects (events) to, wherein the objects are transmitted to the server, where they are retransmitted to the respective computers (receivers) responsive to the respective assigned identifier), the method comprising the steps of detecting at least one event (Col. 16, lines 3-20: mouse down event is then transformed into a wrapper object), generating a timestamp for

the at least one event (Col. 17, lines 49-55), storing the at least one event and the timestamp of the at least one event in an event batch (Col. 16, lines 21-40: wrapper objects are added to a vector), and transmitting the event batch to a receiver, such that the receiver of the event batch can remotely process the at least one event in the event batch (Col. 16, lines 21-40; The vector is then transmitted to the White Board server over LAN for relay to the other active White Board clients).

b. As per claims 2 and 9, Simonoff discloses the claimed invention as described above and further discloses receiving a plurality of event notifications (Figure 7 depicts the computer screen of the disclosed invention. The cursor causes a plurality of events as it is moved throughout the GUI interface), filtering the plurality of event notifications according to an event filter function (Figure 9B, steps S20- S21: all the events that occur are tested to see if the event is a new object or a mouse down event), and detecting when the event filter function indicates that an event is to be stored in the event batch (Figure 9B, step S25-S25: If the event is a new object or a mouse down event, it is made into a wrapper object and placed into the vector).

c. As per claims 3 and 10, Simonoff discloses the claimed invention as described above and further discloses detecting a predetermined number of event notifications before indicating that an event is to be stored in the event batch

(Figures 7 & 9: Once “SELECT” has been clicked on, a predetermined number of event occur until the user selects the command to execute).

d. As per claims 4 and 11, Simonoff discloses the claimed invention as described above and further discloses creating an event object in response to detecting an action occurring on a sender object (Figure 9B: S21 S25: Mouse Down event or receipt of new object is placed in a wrapper object), wherein the even object specifies event functionality corresponding to the action occurring on the sender object (Figure 7: Actions include for example: “Freehand, Oval, Filled_oval, Rectangle, Text, Image) and an identity of a receiver object upon which to perform the event functionality (Col. 23, lines 16-41: The White Board Server decides whether or not to send to every client based on privilege level).

e. As per claims 5 and 12, Simonoff discloses the claimed invention as described above and further discloses the step of transmitting the batch of events to the receiver in response to the detecting the occurrence of a batch transfer condition, the batch transfer condition being at least determining that a time difference between occurrence of events exceeds a predetermined value (Col. 17, lines 39-59), determining that a predetermined number of events has been stored in the event batch (Col. 16, lines 21-40: The vector has a maximum number of slots to fill with wrapper objects before sending them to the White Board Server), and

detecting that the at least one event is a terminating event (Figure 9B, item S28: Upon Mouse Up Event, Transmit new objects to server for relay to clients).

f. As per claims 6 and 13, Simonoff discloses the claimed invention as described above and further discloses at least one event represents a graphical action performed on an object on a display of a computer system (Col. 16, lines 20-25: a graphic object), wherein the event batch contains a plurality of events that represent a sequence of graphical actions performed on sender objects on the display of the computer system (Adding objects to the white board contains multiple commands and events: Clicking on the object, and dragging and dropping the object on the white board), and wherein the step of transmitting the event batch transmits the event batch to a collaboration adapter for distribution to at least one receiving computer system involved in a collaboration session so that the at least one receiving computer system can recreate events on receiver objects based upon the event batch containing the plurality of events that represent a sequence of graphical actions performed on sender objects which correspond to the receiver objects (Col. 17, lines 39-59; Col. 16, lines 21-40: Once a mouse up event occurs, the wrapper objects inside the vectors are transmitted to the White Board Server for relay to the other active White Board clients).

g. As per claims 7 and 14, Simonoff discloses the claimed invention as described above and further discloses the steps of detecting, generating, storing and transmitting are performed by a processor in a computer system (Col. 8, lines 45-67) performing a real time event capture process (Col. 5, lines 12-24) that operates in conjunction with a browser process (Col. 2, lines 25-63) to capture graphical events (Figure 9B, item S22) as they occur from user interaction with the browser process (Col. 15, lines 55-61; Col 17, lines 39-59).

Claim Rejections ~ 35 U.S.C. § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims 15-29, and 31-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Simonoff, and further in view of Logston et al. (US 5,467, 342).

a. As per claims 15, 29, and 31-32, Simonoff discloses a method for processing event information, wherein the method comprises the steps of receiving an event batch identifying at least one event (Col. 16, lines 21-40), and recreating the events identifies in the event batch (Col. 17, lines 39-59). However, Simonoff

ORIGINAL
CLAIM
#29

Please look at claim 29 limitations
- generating a timestamp?
- storing one event + timestamp?
- xmit to recvr

g. As per claims 7 and 14, Simonoff discloses the claimed invention as described above and further discloses the steps of detecting, generating, storing and transmitting are performed by a processor in a computer system (Col. 8, lines 45-67) performing a real time event capture process (Col. 5, lines 12-24) that operates in conjunction with a browser process (Col. 2, lines 25-63) to capture graphical events (Figure 9B, item S22) as they occur from user interaction with the browser process (Col. 15, lines 55-61; Col 17, lines 39-59).

Claim Rejections ~ 35 U.S.C. § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims 15-29, and 31-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Simonoff, and further in view of Logston et al. (US 5,467, 342).

a. As per claims 15, 29, and 31-32, Simonoff discloses a method for processing event information, wherein the method comprises the steps of receiving an event batch identifying at least one event (Col. 16, lines 21-40), and recreating the events identifies in the event batch (Col. 17, lines 39-59). However, Simonoff

does not explicitly teach calculating a lag time associated with the event batch or compensating for a portion of the lag time required to receive the event batch.

Logston teaches transmitting packets of data containing timestamps through a network, measuring and adding any variable delays to the packet and the value is added to the time of the packet carried in order to compensate for the delays imposed upon that packet as the cells carrying the packets traversed the network (Col. 5, lines 60-67; Col. 6, lines 1-18).

By implementing the calculating of the delay time and compensating for the delay time system of Logston, into the system of Simonoff, data packets will always be received in order.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Logston in the system of Simonoff because by implementing the specification as described above, the delays that are experienced while the data stream propagates through the switching nodes of the network are no longer a factor and are resolved (Col. 5, lines 50-56).

b. As per claim 22, Simonoff discloses a computer system comprising of an input output mechanism (Col. 3, lines 7-16), a processor (Col. 8, lines 54-67; Col. 9, lines 1-3), a memory system (Col. 8, lines 54-67; Col. 9, lines 1-3), an interconnection mechanism coupling the input output mechanism, the processor

and the memory system ((Col. 8, lines 54-67; Col. 9, lines 1-3: All the inner working products of a computer system need to be coupled through an interface in order to operate), wherein the memory system is encoded with an even transponder. process that, when performed on the processor, causes the computer system to process event information by performing the operations of receiving an event batch identifying at least one event via the input output mechanism (Col. 16, lines 21-40). However, Simonoff does not explicitly teach calculating a lag time associated with the event batch or recreating events identified in the event batch while compensating for at least a portion of the lag time required to receive the event batch.

Logston teaches transmitting packets of data containing timestamps through a network, measuring and adding any variable delays to the packet and the value is added to the time of the packet carried in order to compensate for the delays imposed upon that packet as the cells carrying the packets traversed the network (Col. 5, lines 60-67; Col. 6, lines 1-18).

By implementing the calculating of the delay time and compensating for the delay time system of Logston, into the system of Simonoff, data packets will always be received in order.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Logston in the system of Simonoff because by implementing the specification as described above, the delays that are experienced while the data stream propagates through the switching nodes of the network are no longer a factor and are resolved (Col. 5, lines 50-56).

c. As per claims 16 and 23, Simonoff-Logston discloses the claimed invention as described above and further discloses dividing the number of events contained in the event batch by the lag time to determine a lag time per event (Logston: Col. 13, lines 20-29) and recreating at least one event identified in the event batch at an event playback time computed by subtracting at least a portion of the lag time per event from an event playback time (Logston: Col. 14, lines 35-45) computed based on a timestamp of the at least one event contained in the event batch (Logston: Col. 12, lines 9-19).

d. As per claims 17 and 24, Simonoff-Logston discloses the claimed invention as described above and further discloses recreating at least one event

identified in the event batch limits the subtraction of the at least a portion of the lag time per event from an event playback time such that an amount of time between consecutive event playback times is a perceptible amount of time at which events are recreated (Logston: Col. 12, lines 9-19; Col. 143, lines 35-54).

e. As per claims 18 and 25, Simonoff-Logston discloses the claimed invention as described above and further discloses wherein the event batch is an event batch M and the step of receiving an event batch includes a step of generating a receive time for the event batch M (Logston: Col. 13, lines 30-40: PCR(original), and wherein the step of calculating a lag time required to receive the event batch includes the steps of computing an ideal time for the event batch M (Logston: Col. 13, lines 30-40: TRC(base, extension)), and computing the lag time as a difference between the receive time for the event batch M and the ideal send time for the event batch M (Logston: Col. 13, lines 30-40: PCR(adjusted)).

f. As per claims 19 and 26, Simonoff-Logston discloses the claimed invention as described above and further discloses wherein the step of computing an ideal send time for the event batch M includes a step of adding a receive time for an event batch M-1 to an amount of elapsed time between a start and end time of the event batch M (Logston: Col.14, lines 38-53: $TRC_{adj} = TRC_{mod} + LSCR(tout)$).

g. As per claims 20 and 27, Simonoff-Logston discloses the claimed invention as described above and further discloses wherein the step of recreating events identified in the event batch includes the steps of dividing the lag time by a multiple that is related to a number of events identified in the event batch to determine a lag time per event (Logston: Col. 13, lines 20-38: PCR(adjusted), and for each of the at least one event identified in the event batch, performing event functionality defined for that event on a respective receiver object corresponding to an identity of an receiver object defined for that event in the event batch (Simonoff: Col. 17, lines 38-59), at an event play back time that is computed based on a timestamp associated with the at least one event in the event batch (Simonoff: Col. 17, lines 49-54), and the lag time per event (Logston: Col. 13, lines 20-29).

h. As per claims 21 and 28, Simonoff-Logston discloses the claimed invention as described above and further discloses wherein the event batch is an event batch other than a first event batch and wherein the method further includes the steps of receiving the first event batch (Simonoff: Col. 17, lines 38-59), recreating events identified in the first event batch at respective event playback times computed based on a respective timestamps associated with each event identified in the first event batch (Logston: Col. 13, lines 20-38: PCR(adjusted), and performing the steps of receiving, calculating and recreating for all event

batches other than the first event batch such that events identified in event batches received after the first event batch will be recreated by taking into account lag time required to receive the event batch in which those events are identified (Simonoff: Col. 17, lines 38-59; Logston: Col. 5, lines 60-67; Col. 6, lines 1-18; Col. 13, lines 20-29).

Conclusion

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jiman Khosravan whose telephone number is (703) 305-0704. The examiner can normally be reached on Monday - Friday from 9:00 AM to 5:00 PM.

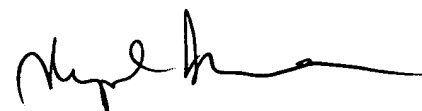
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rupal Dharia can be reached on (703) 305-4003. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Communication via Internet e-mail regarding this application, other than those under 35 U.S.C. 132 or which otherwise require a signature, may be used by the applicant and should be addressed to [rupal.dharia@uspto.gov].

All Internet e-mail communications will be made of record in the application file. PTO employees do not engage in Internet communications where there exists a possibility that sensitive information could be identified or exchanged unless the record includes a properly signed express waiver of the confidentiality requirements of 35 U.S.C. 122. This is more clearly set forth in the Interim Internet Usage Policy published in the Official Gazette of the Patent and Trademark on February 25, 1997 at 1195 OG 89.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Jiman Khosravan
Examiner
Art Unit 2141


April 12, 2004

RUPAL DHARIA
SUPERVISORY PATENT EXAMINER